THE HON'BLE SRI JUSTICE GODA RAGHURAM
AND
THE HON'BLE SRI JUSTICE P.DURGA PRASAD

W.A.No. 564 of 2011.

JUDGEMENT: (Per Goda Raghuram, J

Heard the learned Counsel for the appellant. There is no representation on behalf of the respondents.

This appeal is directed against the order dt. 13.4.2011 dismissing the writ petition. The writ petition was filed aggrieved by the order dt. 15.10.2008 of the Joint Collector and Additional District Magistrate, Ananthapur reversing the proceedings dt. 12.7.2004 of the Revenue Divisional Officer, Penukonda lifting the suspension of the petitioner's authorisation for running fair price at Guttur village, Penukonda Mandal, Ananthapur District. The singular ground on which the order of the Joint Collector dt. 15.10.2008 was challenged is that it was passed without notice and opportunity to the petitioner. On a perusal of the record, the learned single Judge noticed that notice of hearing proposed to be held on 15.10.2008 was issued by the Joint Collector to the Counsel for the petitioner and the hearing of the case was scheduled on 15.10.2008. The proceedings pertaining to the earlier date i.e. 14.8.2008 wherein the next date of hearing i.e. 15.10.2008 was seen to bear the signature of the counsel appearing for the petitioner. In the circumstances, the learned single Judge was not inclined to interfere with the order of the Joint Collector reversing the order of the Revenue Divisional Officer lifting the petitioner's suspension as fair price shop dealer on the ground of violation of principles of natural justice. Since the order involved is one of suspension of the authorisation, the learned single Judge was also not inclined to interfere with the discretion of the authorities in a matter involving discipline and control of fair price shops.

This Court discerns no perversity or error in the exercise of discretion by the learned single Judge warring appellate interference. The appeal is devoid of merits and the same is dismissed. There shall

be no order as to costs.

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GODA RAGHURAM, J

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P.DURGA PRASAD, J

19.7.2011.
KRB.

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Dt. 19.7.2011.